

PLANNING COMMISSION MEETING MINUTES
April 6, 2004

CALL TO ORDER

Chair Lostrom called the meeting of the Medina Planning Commission to order at 7:00 p.m.

ROLL CALL

Commissioners present were Brog, Greenspoon, Jordan, Lawrence, Lostrom and Price. PC member Nelson was absent and excused. Staff members present were Planning Director (PD) Gellings, and Recording Secretary Carol Wedlund. Consultant Tim Tobin, with Roth-Hill Engineering, was also present.

ANNOUNCEMENTS

PD Gellings stated the May 24, 2004 Council Study Session would be devoted to a presentation of the building permit process. There had been a number of zoning code and building code changes recently, so the Council wished to view a walk through mock up building permit process. The PC was invited to attend.

MEETING MINUTES

PC Jordan moved, seconded by PC Greenspoon, to approve the minutes of March 2, 2004 and the motion carried unanimously.

PUBLIC HEARING—Construction Mitigation Plan – Level II – Cascade Trust, 923 Evergreen Point Road --

Chair Lostrom asked if any PC members had a potential conflict of interest with this public hearing. PC Lawrence stated he lived 30 feet from the property. PC Price indicated her sister lived next to the parcel. Chair Lostrom asked if anyone in the audience wanted PC members Lawrence or Price to step aside, as the PC would still have a quorum. **Elizabeth W. Korell**, representing **Cascade Trust**, indicated they had faith in the ability of PC members Lawrence and Price to render a fair, unbiased decision.

Chair Lostrom opened the public hearing.

Owner's representative **Mike Stanley, 1503 – 28th Avenue West, Seattle**, explained the application was really a restoration of an existing building, rather than a demolition and reconstruction. The owners liked the building and wanted to maintain its character. Their plan was to demolish a portion of the building and via reconstruction, ensure that it was up to code. He explained the Construction Mitigation Plan Level II before the PC was the second version. The first one had been submitted to the city on December 17, 2003 and was returned for additional information. Mr. Stanley noted the present plan satisfactorily addressed the issues raised during the first review and now complied with the specified evaluation criteria. Their intent was to complete the construction project within 16 months. Also, construction would only take place during those hours allowed by Medina.

Consultant Tim Tobin, for **Roth-Hill Engineering**, concurred and noted Schulze-Miller was a quality contractor who planned ahead and was responsive to any issue. He relayed the site was well screened and buffered from neighboring properties and Evergreen Point Road. Further, everything was behind security gates. The existing greenhouse would remain. For a short period, piles would be installed which would require drilling. That operation was expected to be noisier than other anticipated construction activities and mitigation would consist of a 10-day written pre-notification to the south neighbors at 827 and 801 Evergreen Point Road. The site contained sufficient room for construction parking and material storage, so there would be no problem keeping it contained to the property and minimizing disruption to the neighbors. Further, very little excavation would be required. As a result, the proposed construction would have less impact upon neighbors than most projects. He recommended approval of the Level II Construction Mitigation Plan as submitted.

PC Lawrence requested that contractors not queue on the street, but rather to do so on the property. **Mr. Stanley** promised to take care of it. Following further discussion, PC member Jordan moved, seconded by PC Brog, to recommend approval for the Construction Mitigation Plan – Level II – Cascade Trust, located at 923 Evergreen Point Road, for demolition of an existing barn/garage and construction of a guest house/garage. The motion carried unanimously.

Chair Lostrom closed the public hearing.

DISCUSSION

Side Yard Setbacks – PD Gellings stated the Council had requested the PC to broaden their earlier problem statement for side yard setback requirements to include smaller lots. The PC had briefly discussed the idea of side yard setback regulations on small lots during their March meeting. A request had been made of staff to assemble some case studies of small lot owners who were frustrated by the Zoning Code's side yard setback regulation. He referred to the five cases in the packet which should give PC members a better understanding of the issues faced

by small lot owners and help to facilitate formulation of a problem statement. PD Gellings noted the two parts of an applicant's problems were remodeling and new construction. Themes in remodeling problems included step backs and the reconstruction threshold. The reconstruction threshold, also known as the 60 percent rule, was a tool used by the city when a remodel was practically a new home project. The reconstruction threshold kicked in when spending was more than 60 percent of the existing structure's value. PD Gellings explained some Council members believed the city should loosen restrictions for small lots. As an example, Medina's standard side yard setback requirement presented a bit of a hardship for the owner of a 60-foot wide lot.

PD Gellings suggested solutions for small lot owners might include tweaking the 60 percent formula for reconstruction. He noted at a certain value threshold, the project stopped being a remodel and became new construction. Chair Lostrom suggested making the threshold 85 percent of the square footage, to give a big incentive to modify existing structures. PC Jordan suggested that another litmus test be developed. Footprint modifications and bulk changes could be the second litmus test as another threshold for remodel consideration.

PD Gellings relayed a number of architects had inquired whether the city would allow back-to-back projects for the same home with each construction project being 59 percent of the value, so neither one would trigger the 60 percent threshold. He added no one wanted to live through that.

Following further discussion, the PC decided by consensus they wished to keep the 10-foot setback even for small lots. They also agreed that a substantial teardown and remodel at some point should be considered a rebuild. PD Gellings thought the Points Communities used some kind of a value threshold. He volunteered to conduct further research and to report his findings to the PC. PC Greenspoon requested that PD Gellings also provide the PC with their previous recommendation to the Council.

PC Lawrence moved, seconded by PC Brog, to adjourn at 8:43 p.m., and the motion carried unanimously.

Caroll P. Wedlund
Recording Secretary